

Remarks

The Examiner has rejected claims 1, 5, and 9 under 35 USC 103(a) as being unpatentable over US Patent 5,867,996 to Takano et al. (hereinafter Takano) in view of US Patent 6,742,350 to Suzuki et al. (hereinafter Suzuki).

The Examiner has further rejected claims 2 and 3 under 35 USC 103(a) as being unpatentable over the references as applied to claim 1 and further in view of US Patent No. 6,234,769 to Sakai et al. and claims 4 and 10 under 35 USC 103(a) as being unpatentable over the references as applied to claim 1 and further in view of US Patent No. 5,628,234 to Crook et al. (hereinafter Crook).

Claim 1 has now been amended to include the subject matter of claim 10 and claim 10 has been cancelled. It is submitted that the claim1 as now amended distinguishes over the cited references. Specifically Cook, which was cited against claim 1 includes a clutch 106 interposed between motor 100 and shaft 20 that leads to a transmission in order to protect the motor. The Examiner asserts that it would have been obvious to have modified the references applied to claim with the clutch of Crook to protect the motor. However, it is submitted that the device of Crook and the free-wheeling device of claim 1 as amended are not the same. The clutch of Crook opens when a fail condition takes place, thereby disconnecting the motor from the load in dependence of the torque conditions. The free-wheeling device of claim 1 does not allow a load to act reverse to the motor and does not open the connection from the motor to the load in dependence of the torque. It simply is not possible that a torque coming from the load side acts against the motor, since the free-wheeling device does not allow reverse rotation. It is therefore submitted that claim is not obvious in view of the cited references and that claim 1 and all of the claims that depend directly or indirectly therefrom are in condition for allowance.

Should the Examiner believe that a telephonic conference would be useful in furthering the present application toward allowance, the undersigned attorney would welcome such a call.

Application No. 10/721,493  
Amendment Dated 29 June 2007  
Reply to Office Action of 29 March 2007

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525.

Respectfully,

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